

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion is respectfully requested.

Claims 1-18 are currently pending in the application; and Claims 1, 4, 5-7, 10, 11 and 14 are amended; and new Claims 17 and 18 have been added by this amendment. Support for amended Claims 1, 4, 7, 10, 11 and 14 can be found in the original specification, claims and drawings.¹ New Claims 17 and 18, which correspond to Claims 1 and 14 respectively, have been drafted to avoid interpretation under 35 U.S.C. § 112, sixth paragraph. Further claim amendments are presented only to correct minor informalities. Thus, no new matter is presented.

In the outstanding Official Action, Claims 1-16 were rejected under 35 U.S.C. § 102(b) as anticipated by Nonami (U.S. Patent No. 5,278,866, hereinafter "Nonami").

Applicants respectfully submit that amended Claims 1, 7, 11, 14, 17 and 18 state novel features clearly not taught or disclosed by the prior art of record.

The present application is directed to a method and system for detecting a change in environmental and/or capability of a mobile device, and responding to this detection by altering network resources or a format type of data transmitted to the mobile device.² In one exemplary embodiment, contents transmitted to a mobile device are converted from a text media type to an audio media type before transmitted to the mobile device, when the mobile device is detected to be in a dark area.³

Amended independent Claim 7 relates to a resource switching method for a mobile communication system including detecting at least one of a changing environment in which an object to be inspected exists and a change in capability of the object to be inspected. A change in detection is been reported to one or more apparatuses, and in response at least one

¹ Specification at Figure 7 and page 29, lines 22-26.

² Specification at page 25, line 25 – page 5, line 12.

³ Specification at page 29, lines 22-26.

of a network resource in a media type are set in accordance with the detected change. The network resource and media format are then switched in accordance with the above-mentioned setting step.

Amended Claim 7 recites, *inter alia*, a resource switching method, comprising:

“...setting at least one of a network resource and a media type
in conformity to said change detected by said detecting step...”

Nonami describes a radio communication apparatus with stored voice coding/decoding procedures. Specifically, Nonami describes that a line quality monitor (8) supervises the line quality of a received signal via a radio modem (6), and sends line quality information to the control circuit (91) of the radio communication apparatus. The control circuit (91) selects the best mode from the voice coding procedures stored in memory (51) corresponding to the line quality and the DSP (4) switches to this corresponding voice coding procedure.⁴ Specifically, when the line quality is detected as being poor, the input voice is coded by a mode that inserts additional error correction bits into the coded voice signal.⁵

Amended Claim 7 recites setting at least one of a network resource ... in conformity to said change detected by said detecting step. In contrast, Nonami describes that a voice coding procedure, specifically the ratio of error bits versus the number of information bits included in the resulting coded voice signals, is altered based on the detected quality of the connection quality between the communication apparatus and another device.⁶ This modified coding mode is used to code the voice signal before it is transmitted over the existing connection, and Nonami fails to teach or disclose that the connection itself is altered whatsoever. Altering the mode used to code the voice signal does not correspond to adjusting network resources, because no network resources are changes, only content transmitted over the connection is modified based on the detection. Therefore, Nonami fails

⁴ Nonami at column 3, lines 6-16.

⁵ Nonami at column 2, lines 32-35.

⁶ Nonami at column 2, lines 49-62 and column 3, lines 6-23.

to teach or disclose setting a network resource based on a detected condition of the mobile device, as recited in amended Claim 7.

Amended Claim 7 recites setting at least one of a ... a media type in conformity to said change detected by said detecting step. Nonami describes that his method, as discussed above is specifically directed to encoding and transmitting voice signals.⁷ Specifically, when the line quality in Nonami's system is detected of being in poor quality the ratio of information code bits versus error correcting code bits used to code a single media (voice/audio) is modified, as discussed above. However, at no point does Nonami teach or disclose setting a media type (i.e. voice-to-data, data-to-voice, etc.), based on a detection. Thus, Nonami fails to teach or disclose setting at least one of a media type in conformity to said change detected by said detecting step, as recited in amended Claim 7.

In light of the above discussion, Applicants respectfully submit that Nonami fails to teach or disclose setting at least one of a network resource and a media type in conformity to said change detected by said detecting step, as recited in amended Claim 7.

Accordingly, Applicants respectfully request the rejection of amended Claim 7 under 35 U.S.C. § 102 be withdrawn. For substantially the same reasons as given with respect to amended Claim 7, it is also submitted that Claims 1, 5, 11, 14, 17 and 18 patentably define over Nonami.

As Claims 2-4, 6-10, 12-13, and 15-16 depend from amended independent Claims 1, 5, 11, 14, respectively, Applicants submit that these claims also patentably define over Nonami.

⁷ Nonami at column 2, lines 32-35.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-18 is patentably distinguishing over the prior art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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